

United States District Court
Southern District of New York

USDC SDNY
CLERK OF COURT
ELECTRONICALLY FILED

FILED
DATE: 7/26/11

RLI INSURANCE COMPANY,

Plaintiff,

11 Civ. 3913 (JGK)

- against -

MEMORANDUM OPINION AND
ORDER

NAVIGATORS INSURANCE COMPANY, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

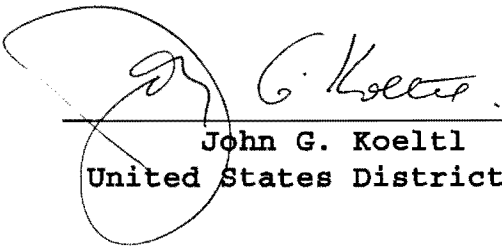
The complaint in this case alleges diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). However, the plaintiff did not plead the citizenship of various defendants. In particular, the plaintiff did not plead the citizenship of the members or partners of defendants that are LLCs or LLPs, see Handelsman v. Bedford Vill. Assocs. Ltd. P'ship, 213 F.3d 48, 51 (2d Cir.2000), nor the state of incorporation and principal place of business of defendants that are corporations, see McElroy v. Gemark Alloy Refining Corp., 592 F. Supp. 2d 508, 510 (S.D.N.Y. 2010). The complaint also fails to allege an amount in controversy exceeding \$75,000, as required by 28 U.S.C. § 1332. Accordingly, the complaint is dismissed without prejudice. See, e.g., Leveraged Leasing Admin. Corp. v. PacifiCorp Capital, Inc., 87 F.3d 44, 47 (2d Cir.1996) (complaint that fails to

plead citizenship of relevant parties does not properly assert diversity jurisdiction).

The Clerk is directed to close this case. The plaintiff may file an amended complaint correcting the deficiencies in the original complaint and move to reopen this case consistent with any applicable statutes of limitations.

SO ORDERED.

Dated: New York, New York
July 25, 2011



John G. Koeltl
United States District Judge